

**THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA**

Monday, October 8, 2012

7:00 pm. Regular Session

MINUTES

Place: Commissioners' Room, second floor, Durham County Government Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chairman Michael D. Page, Vice-Chairman Ellen W. Reckhow, and Commissioners Philip R. Cousin Jr., Brenda A. Howerton, and Pam Karriker

Absent: None

Presider: Chairman Michael D. Page

Opening of Regular Session

Chairman Page welcomed everyone to the October 8, 2012 Regular Session. He asked persons present to stand and recite the Pledge of Allegiance.

Chairman Page acknowledged Boy Scout Troop No. 451, chartered by Westminster Presbyterian Church, for attending the meeting as a requirement in earning the communications merit badge. He invited the troop leader to make remarks.

Agenda Adjustments

Commissioner Howerton requested that "Public Comments" be added to the agenda to allow residents of Lincoln Apartments to speak their concerns.

Chairman Page informed the public that "Public Comments" are usually held during the Board's worksessions; however, due to the circumstances, the Board must agree to add the item and limit comments to two speakers. He asked that the public adhere to the Board's rules for future concerns.

Vice-Chairman Reckhow moved, seconded by Commissioner Karriker, to suspend the rules and add "Public Comments" to the agenda to allow two representatives for Lincoln Apartment residents to speak.

The motion carried unanimously.

Announcements

Vice-Chairman Reckhow recapped her attendance at the Golden Leaf Awards ceremony, sponsored by the City-County Appearance Commission and Keep Durham Beautiful Inc., where

Durham County received an award of merit for sustainable properties for Southwest Durham Regional Library renovation project.

Chairman Page thanked Vice-Chairman Reckhow for attending the ceremony and for accepting the award on behalf of the Board.

Chairman Page made the following announcements:

- “In Touch with Durham County,” the Durham County Television show, airs on Cable TV Channel 8 at 8:30 a.m. and 12 noon daily, 4:00 p.m. on Mondays, and 6:30 p.m. Tuesday – Sundays. Our County Commissioners’ meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m.
- Durham County has a number of boards and commissions that could benefit from citizen participation. Contact the Clerk’s Office at 919-560-0025, visit the County’s website, or email Clerk@durhamcountync.gov for more information. All City and County taxes must be current at the time of application.
- A public hearing on the 2040 Metropolitan Transportation Plan and the Comprehensive Transportation Plan would be held on November 14 at 7:00 p.m. in the Second Floor Committee Room at Durham City Hall. Citizens may sign up to speak at the meeting. For more information, contact Andy Henry at (919) 560-4366 x. 36419 or andrew.henry@durhamnc.gov.
- Durham County to conduct an external customer service survey. Citizens may access the questionnaire at www.durhamcountync.gov or visit any library within Durham County. Data collectors would be available to gather responses at the October 8 and October 22 Board of County Commissioners meetings beginning at 6:00 p.m. in the lobby of the Commissioners’ Chambers.

Minutes

Commissioner Howerton moved, seconded by cc, to approve as submitted the September 24, 2012 Regular Session Minutes of the Board.

The motion carried unanimously.

Consent Agenda

Vice-Chairman Reckhow moved, seconded by Commissioner Howerton, to approve the following consent agenda items:

- *a. Approve Budget Ordinance Amendment No. 13BCC000027 to amend the AnimalKind budget, thereby increasing the contract amount to allow the reimbursement of \$2,870 from NC Department of Agriculture and Consumer Services Spay/Neuter Program to Durham County to be disbursed to AnimalKind for additional Durham County animals to be provided low cost spay and neutering services; and

- *c. Approve Budget Ordinance Amendment No. 13BCC000028 to appropriate \$3,200 in funding from the NC Cooperative Extension Service to support Durham County commercial mail.

The motion carried unanimously.

*Document(s) related to this item follow:

Consent Agenda Item No. a. Approve Budget Ordinance Amendment No. 13BCC000027 to amend the AnimalKind budget, thereby increasing the contract amount to allow the reimbursement of \$2,870 from NC Department of Agriculture and Consumer Services Spay/Neuter Program to Durham County to be disbursed to AnimalKind for additional Durham County animals to be provided low cost spay and neutering services.

DURHAM COUNTY, NORTH CAROLINA
FY 2012-13 Budget Ordinance
Amendment No. 13BCC000027

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2012-13 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u> Intergovernmental	\$51,619,284	\$2,870	\$51,622,154

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u> Public Safety	\$46,511,529	\$2,870	\$46,514,399

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 8th day of October, 2012.

Consent Agenda Item No. c. Approve Budget Ordinance Amendment No. 13BCC000028 to appropriate \$3,200 in funding from the NC Cooperative Extension Service to support Durham County commercial mail.

DURHAM COUNTY, NORTH CAROLINA
FY 2012-13 Budget Ordinance
Amendment No. 13BCC000028

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2012-13 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$51,622,154	\$3,200	\$51,625,354

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Economic and Physical Development	\$4,083,469	\$3,200	\$4,086,669

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 8th day of October, 2012.

Public Hearing—East Club at Geer, A1100007

On behalf of the applicant, Steven L. Medlin, AICP, City-County Planning Director, requested that the Board open the public hearing on a plan amendment for the East Club at Geer and then continue it to the December 10 Regular Session.

Vice-Chairman Reckhow inquired about the applicant's reason for requesting a continuance.

Mr. Medlin responded that the applicant would like to keep their options open pending the City Council's decision on the item at its October 15 meeting.

Vice-Chairman Reckhow opened the public hearing that was properly advertised.

Dan Jewell, Coulter Jewell Thames, P.A., representing the applicant, 111 West Main Street, Durham 27701, elaborated on the applicant's request for a continuance.

Vice-Chairman Reckhow moved, seconded by Commissioner Howerton, to continue it to the December 10 Regular Session.

The motion carried unanimously.

Public Hearing—Zoning Map Change—East Club at Geer (Z1100019)

On behalf of the applicant, Steven L. Medlin, AICP, City-County Planning Director, requested that the Board open the public hearing for a zoning map change for an 11.68a-acre site located at 2201 East Geer Street and 2515 and 2523 East Club Boulevard at the intersection of East Club Boulevard and East Geer Street, then continue it to the December 10 Regular Session.

Chairman Page opened the public hearing that was properly advertised.

Commissioner Howerton moved, seconded by Vice-Chairman Reckhow, to continue it to the December 10 Regular Session.

The motion carried unanimously.

Vice-Chairman Reckhow expressed desire for communication with the City Council and to be given opportunity to weigh in on major zoning projects outside of city limits that require water and sewer services.

Chairman Page asked Mr. Medlin to attend the November 5 Worksession to provide a report on changes the City Council may impose regarding annexations and sewer extensions.

Commissioner Howerton asked if the City-County Planning Department would convert to a “City only” department per the proposed changes.

Mr. Medlin responded in the negative.

The Board held a discussion in regards to the City-proposed changes of annexations and sewer extensions and the impact they would have on the County.

Chairman Page directed staff to relay the Board’s concerns to the City Council prior to its decision on the matter.

Consent Agenda Items Removed for Discussion

Consent Agenda Item No. b. Authorize the County Manager to execute the contract for administration of the 2011 CDBG Scattered Site Housing Contract. The County Manager also recommends approval of the resolution giving him authority to sign all future administrative, financial, and regulatory paperwork associated with this CDBG grant.

Victoria Peterson, PO Box 428, Durham 27702, signed up to speak on this item.

Marqueta Welton, Deputy County Manager, addressed Ms. Peterson’s concern with the County Manager being authorized to sign County contracts.

Drew Cummings, Assistant County Manager, responded to Ms. Peterson’s questions regarding using leftover monies for impaired housing (i.e. Lincoln Apartments).

Commissioner Karriker moved, seconded by Vice-Chairman Reckhow, to approve Consent Agenda Item No. b.

The motion carried unanimously.

Consent Agenda Item No. d. Approve the grant project ordinance and Budget Amendment No.13BCC000029 for the \$400,000 2011 round CDBG Scattered Site Housing grant from the NC Department of Commerce (Division of Community Assistance).

Victoria Peterson, PO Box 428, Durham 27702, signed up to speak on this item.

Ms. Welton reiterated the County Manager's authority to sign off on the \$400,000 contract, which was defined in the resolution.

In agreement with Ms. Peterson, Vice-Chairman Reckhow expressed desire for the contractor to make great effort to hire Durham residents.

Mr. Cummings briefly explained the bidding process.

The Board discussed how to encourage contractors to hire Durham citizens for County projects.

Vice-Chairman Reckhow requested a proviso in the contract to urge The Wooten Company to send proposals for subcontracting to the County's list of preferred minority- and women-owned businesses.

Mr. Cummings responded to Ms. Peterson's question in regards to the spending of CBDG funding.

Put a proviso in the contract that Wooten work with purchasing

Vice-Chairman Reckhow moved, seconded by Commissioner Karriker, to approve Consent Agenda Item No. d with inclusion of the proviso in the contract urging The Wooten Company to send proposals for subcontracting to the County's list of preferred minority- and women-owned businesses.

The motion carried unanimously.

DURHAM COUNTY, NORTH CAROLINA
FY 2012-13 Budget Ordinance
Amendment No. 13BCC000029

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2012-13 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$51,625,354	\$400,000	\$52,025,354

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
General Government	\$82,840,470	\$400,000	\$83,240,470

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 8th day of October, 2012.

Consent Agenda Item No. e. Assign the 179D deduction to O'Brien/Atkins Associates, PA. for the New Durham County Courthouse; and direct the County Manager to execute any required documents.

Victoria Peterson, PO Box 428, Durham 27702, signed up to speak on this item.

Ms. Welton agreed to follow up on Ms. Peterson's request for a list of contractors and subcontractors working on the Human Services Complex.

Commissioner Howerton moved, seconded by Commissioner Karriker, to approve Consent Agenda Item No. e.

The motion carried unanimously.

Public Comments

Residents of Lincoln Apartments beseeched the Board to investigate the Apartments' finances and to stop the residents' evictions scheduled for October 31, 2012.

Chairman Page called the following residents forward for comments:

Bernadette Toomor
Shirekia Shackelford
Larry Partee

Chairman Page assured the residents that the County shared their concerns and was working diligently to provide services to them. He introduced several County staff present who would be working with the residents and asked that staff keep the Board informed daily.

Commissioner Howerton thanked the Board for adding the item to the agenda.

Adjournment

There being no further business, Chairman Page adjourned the meeting at 8:29 p.m.

Respectfully Submitted,



Yvonne R. Jones
Deputy Clerk to the Board

